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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Plaintiff,

v.

MITCHELL JENKINS,

Defendant.

2:24-cv-00346-JCM-EJY

**Stipulation to Extend Time to File the
United States' Answering Brief**

(Fifth Request)

IT IS HEREBY STIPULATED AND AGREED, by and between Jason M. Frierson, United States Attorney, and Skyler H. Pearson, Assistant United States Attorney, counsel for the United States of America, and Rene L. Valladares, Federal Public Defender, and Joy Chen, Assistant Federal Public Defender, counsel for Mitchell Jenkins, request that the due date for the United States' answering brief be extended thirty (30) days, to **February 10, 2025**.¹ This stipulation is entered into for the following reasons:

1. This case involves an appeal from a bench trial in which Mr. Jenkins was convicted of one count of resisting arrest, a violation of 43 C.F.R. § 8365.1-4(a)(4).

¹ 30 days from the current due deadline date of January 10, 2025, is Sunday, February 9, 2025. February 10, 2025, thus would be the first weekday 30 days from the current due date.

2. The parties disagreed about the proper interpretation of the regulation, for which there is little governing caselaw, and the sufficiency of the evidence presented at trial.

3. Given the relative complexity of the appeal, the need to attend to more pressing matters in other cases, and the holiday schedules of the assigned AUSA and management that would need to review the brief, the parties agree that additional time is warranted to allow for the preparation, review, and filing of the answering brief.


4. The defendant is out of custody and does not oppose the continuance.
This is the fifth request to extend this deadline.

Respectfully submitted this 8th day of January 2025.

/s/ Skyler H. Pearson
Skyler H. Pearson, Esq.
Assistant United States Attorney

/s/ Joy Chen
Joy Chen
Assistant Federal Public Defender

IT IS SO ORDERED this 8th day of January, 2025.



ELAYNA J. YOUCHAH
UNITED STATES MAGISTRATE JUDGE